

9-7-07
12.38 v. 10



Grette Associates^{LLC}
ENVIRONMENTAL CONSULTANTS

Project # ?
Paid ?

Department of Planning and Development
City of Seattle
Attn: Hermia Ip
700 5th Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

September 7, 2007

3801 E. Marginal Way S

Re: Ash Grove Cement Maintenance Dredge: Master Use Permit, Project # 3008019

Dear Ms. Ip:

This letter is a request on behalf Ash Grove Cement Company (Ash Grove) for an Exemption from Substantial Development Permit requirements for maintenance dredging of up to 600 CY of accumulated aggregate at their barge-offloading facility. The proposed project is located on the east bank of the Duwamish River immediately upstream of the East Waterway at 3801 East Marginal Way S (T24N R04E S18), King County Tax Parcel 7666700350. City of Seattle zoning for this parcel is IG1 Industrial, shoreline designation is UI (Urban Industrial). Please see attached Figure 1 for vicinity map.

Project Description

Ash Grove proposes to conduct maintenance dredging (aggregate recovery) of up to, but likely substantially less than, 600 CY of accumulated sand, gravel, and limestone at its cement plant's barge off-loading facility. The area is being surveyed next week, and the actual amount of dredge material will be reported during the land use application for this project.

This multi-year maintenance dredge program has been approved by Corps(200100155) and WDFW (103568-1) in order to recover spilled aggregate at the terminus of the offloading conveyor and maintain safe barge operation depth (-25 ft MLLW). The approved footprint is the 45 ft by 65 ft area shown in Figure 2, which is entirely located waterward of -10 ft MLLW (Figures 2 and 3). The Corps' Dredged Material Management Office has conditioned that permit with the requirement that at least 1-ft of material be left in place between the bottom of the dredge prism and the Duwamish River bed to ensure the substrate below is not disturbed.

Dredging will be accomplished using a barge-mounted 4-ft clamshell bucket. Because the conveyor at the plant is not designed to handle damp material, the recovered aggregate will be dewatered on the barge until it is sufficiently dry, at which time it will be off-loaded by the conveyor and delivered to plant for cement production.

This is the third of a six-cycle maintenance dredge program that has been permitted by the Corps and WDFW through 2013 and 2011, respectively (see below). The City requires land use permitting for each cycle.

Year*	Quantity
2002	up to 600 CY (completed)
2005	up to 600 CY (completed)
2007	up to 600 CY (current application) (substantially less anticipated, actual amount will reported in Land Use application)
2009	up to 600 CY (substantially less anticipated)
2011	up to 600 CY(substantially less anticipated)
2013	up to 600 CY(substantially less anticipated)

*Year indicates fall of the fall/winter work window, actually work may take place as late as mid-February of the following year

Dept. of Planning & Development
Public Resource Center

SEP 11 2007

RECEIVED

WENATCHEE
509-663-6300
Fax 509-664-1882
151 S. WORTHEN ST. STE. 101 • WENATCHEE, WA 98801

TACOMA
253-573-9300
Fax 253-573-9321
2102 NORTH 30TH ST., STE. A • TACOMA, WA 98403

USEPA SF



1279580

AGC2C000871

Prior to the 2005 action, Ash Grove invested in a number of improvements to substantially reduce material spillage, including: a larger hopper; conveyor modifications to increase extension and reduce dust and spillage; pre-cleaner and secondary cleaner systems on the conveyor to reduce carryback spillage. These improvements have substantially reduced operational spillage, but cannot completely eliminate it or the need for maintenance dredging.

Ash Grove conducts regular monitoring to ensure that the new system is working properly and monitor for spillage or other problems outside of regular operational spillage (e.g., large spill amounts due to equipment problems). It also conducts regular equipment inspections. The new conveyor system is functioning as expected and has reduced substantially operational spillage.

Construction Schedule

Ash Grove proposes to conduct maintenance dredging during the 2007/2008 approved in-water work period (October 16 through February 15) in compliance with WDFW and Corps permit conditions for the protection of salmonids. The work will be conducted as soon as possible following the receipt of City approval and updated Endangered Species Act (ESA) concurrence from the Corps, as required by that permit. Dredging will take one to three days to complete.

Basis for Exemption Request

The maintenance dredge action meets the definition of *normal maintenance of an existing structure to prevent decline, lapse, or cessation from a lawfully established state* ...under the Seattle Municipal Code 23.60.020 C.1. The action is part of an established maintenance plan to maintain a safe operational condition. Dredging will only remove aggregate material that has been deposited in the two-year period subsequent to the last dredging cycle.

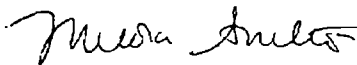
The two previous maintenance dredge cycles, 2002 and 2005, were granted shoreline exemptions under DPD project numbers 2201531 and 3007208.

Additional Materials Submitted

I have enclosed two copies of the JARPA and figures with this request, and paid the processing fee at the Applicant Service Center. Please note that I also have enclosed an additional copy of this letter, JARPA, and figures for distribution to your biologist.

Thank you for considering this request. If you have any questions or comments please contact me at 253-573-9300 or by e-mail at meloras@gretteassociates.com.

Sincerely,
GRETT ASSOCIATES, LLC



Melora Shelton
Biologist

cc. Craig Puljan, Ash Grove Cement Company

enclosure

Dept. of Planning & Development
Public Resource Center

SEP 11 2007

RECEIVED